IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK, NEW JERSEY
CIVIL ACTION NO. 90-2125 (HLS)

NL INDUSTRIES, INC.,	:	
Plaintiff,	:	Deposition of:
v.	:	JAMES RAINS
COMMERCIAL UNION INSURANCE COMPANY, et al.,	:	
Defendants.	:	

TRANSCRIPT of testimony as taken by and before STEPHAN S. ZEITLIN, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, at the Hyatt Regency, Union Station, St. Louis, Missouri, on Tuesday, September 7, 1993, commencing at 10:30 in the forenoon.

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down the chute, it went to -- the only thing, I can't recall what its called, but it was made into a rope. And I was the puller that pulled it through; also rolled it up. And from time to time, we'd make five pounds -- take them from 50 pound rolls and make five pound rolls.

Q. How was your job packing lead wool different from your job rolling lead wool?

A. Well, packing it, you just simply take it from the time it was weighed and put it in a sack, tied the top of the sack.

Q. Approximately how big were the sacks of lead wool that you packed?

A. They were 50 pound.

Q. And what were the sacks made of?

A. We called it a gunny sack is basically the only thing I know that you can possibly call it. It's like a potato sack, only it's shorter.

Q. When you worked in the brit mill department, what type of products did you help produce?

A. We made organ pipe, music plates, other orders from other companies like six percent went to Dicky Graber for name plates on caskets. And we made graphite lead, battery plates, not the kind that goes in car batteries, but the huge plates about -- I think there's about five or six different sizes of those. We made thallium plates, one percent silver plates. That's pretty close to all I recall.

Q. Earlier you made a reference to six percent. Is this a product or --

A. Its chemical lead with six percent antimony.

Q. And I'm not sure I understood your testimony. The six percent lead was sent to make name plates on caskets?

A. Yes. Some of it was -- it went to other places. But, you know, that's the one that just came to mind.

Q. You described batteries that were not automobile batteries.

A. The plates, not batteries, just plates.

Q. Are you aware of what types of

batteries that these batteries plates that you made --

A. No. We sent them out, the plates bandied on a small skid.

Q. The one percent silver plates, are you aware of what those were used for?

A. My understanding was they were sent and hung in a vat for some sort of solution to run through.

Q. What was the thallium lead that you produced used for?

A. I'm not really sure.

Q. And what is thallium lead?

A. It's chemical lead and arsenic. It's got a certain amount of arsenic in it.

Q. What would you do in the brit mill when you would produce thallium lead?

A. Well, you basically put your chemical lead in the pot and melt it down. And then you take your -- the arsenic that came in little pigs about six inches long by about four inches, three and a half, four inches wide, about two inches thick, you put whatever amount it was that you need to make for that order in the pot. And when it came

together, you skimmed it and it flowed out.

Q. During the time you melted the lead, did you ever utilize any arsenic?

A. No.

Q. How did you become aware that arsenic was contained in thallium lead?

A. I put it in it. That was part of my, part of the job. Whenever I made up the pot of lead, just like if I made up organ pipe, there's certain things that went into organ pipe.

Q. When you would add arsenic in order to make thallium lead, what would you do?

A. You take it out of the crate and put it in the pot and wait for it to melt. And mix it again, stirred it with --

Q. How did you take it out of the crate?

A. With my hand. (Witness indicates).

Q. Okay. Did you use any tools to take it out of the crate and put it in the pot?

A. Just gloves.

Q. Aside from gloves, was there

any other type of clothing that you wore?
A. Well, when you poured -- when you worked in the pot area, you had an apron, you had a respirator, and you had what you call those spats, I guess you call them, you put over your shoes, the front part of your legs to keep them from getting burned.
Q. Did you measure the arsenic before you placed it in the melting pot?
A. No. It was pre-weighed. Each bar weighed so much and you knew.
Q. And do you remember how much the arsenic bars weighed?
A. No, I sure don't. They were quite heavy for their size.
Q. What did the arsenic bars look like?
A. They looked like lead, just to look at them. If you didn't have a chemical analysis, you would just think they were bars of lead.
Q. Are you aware of where NL got the lead bars containing arsenic from?
A. No, I have no idea.
Q. How did you come to an

understanding that these bars contained arsenic?

A. My boss told me.

Q. Did you have any other communications with your boss at the time who I believe you testified earlier was John Squires?

A. John Squires.

Q. Did you have any other communications with Mr. Squires about the contents or the materials that you were using?

A. No. He would make up the amount that you need for each kettle. He was responsible for making it up, the weight. And he would give me the sheet and I would weigh it up and put it in the kettle.

Q. During the time that you worked in the brit mill, did you use a respirator?

A. Yes, I did, when I was at the kettle area where we poured that.

Q. What was your understanding why you used a respirator in the brit mill area?

A. To keep from breathing the fumes from the pot, the lead fumes.